

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GINA MARIE ROSADO,

Plaintiff,

-against-

MILES DANIEL JOHNSON and
BAKER INSTALLATIONS, INC.,

Defendants.

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MILES DANIEL JOHNSON and
BAKER INSTALLATIONS, INC.,

Third Party Plaintiffs,

- against -

EDWARD ROSADO,

Third Party Defendant.

-----X
Defendants/Third-Party Plaintiffs, MILES DANIEL JOHNSON and BAKER
INSTALLATIONS, INC., as and for their Reply to the Counterclaim of third-party defendant,
EDWARD ROSADO, set forth as follows:

1. Deny each and every allegation set forth in the counterclaim.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

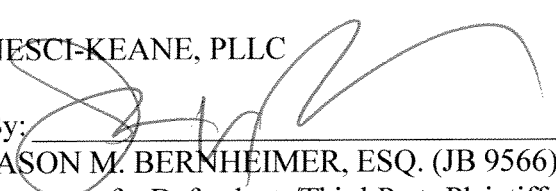
2. The Counterclaim fails to set forth a cause of action upon which relief can be granted.

WHEREFORE, the Defendants/Third-Party Plaintiffs demand judgment dismissing the Counterclaim, herein, together with the costs and disbursements of this action, and such other and further relief this Court may deem just and proper.

Dated: Hawthorne, New York
August 27, 2008

Yours, etc.,

NESCI-KEANE, PLLC

By: 
JASON M. BERNHEIMER, ESQ. (JB 9566)
Attorneys for Defendants/Third-Party Plaintiffs
40 Saw Mill River Road - Suite UL1
Hawthorne, New York 10532
(914) 345-0005
File No. 08-089/217603

TO: LAW OFFICES OF EPSTEIN & RAYHILL
Attorneys for Third-Party Defendant
565 Taxter Road - Suite 275
Elmsford, NY 10523
(914) 347-6360
File No. 08EL00124

MITCHEL E. WEISS, ESQ.
Attorney for Plaintiff
150 Broadway - Suite 1307
New York, NY 10038
(212) 571-7171

STATE OF NEW YORK)
)SS.:
COUNTY OF WESTCHESTER)

CARLA MANZO, being duly sworn says:

I am not a party to the action, am over 18 years of age and reside at Westchester County, New York. On August 27, 2008, I served a true copy of a Reply to Counterclaim, by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York addressed to the last known address of the addressee as indicated below:

LAW OFFICES OF EPSTEIN & RAYHILL
Attorneys for Third-Party Defendant
565 Taxter Road - Suite 275
Elmsford, NY 10523
(914) 347-6360
File No. 08EL00124

MITCHEL E. WEISS, ESQ.
Attorney for Plaintiff
150 Broadway - Suite 1307
New York, NY 10038
(212) 571-7171



CARLA MANZO

SWORN to before me this
27th day of August, 2008



NOTARY

JASON M. BERNHEIMER
Notary Public, State of New York
No. 02BE6019121
Qualified in Westchester County
Commission Expires February 1, 2011